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10 SEIU, Local 2028

11 UNITED STATES DISTRICT COURT
12 SOUTHERN DISTRICT OF CALIFORNIA

13 SEIU, LOCAL 2028

14 Plaintiff,

15 v.

16 RADY CHILDREN'S HOSPITAL, SAN
17 DIEGO, and DOES 1 through 10,

18 Defendant.

) No. 08-CV 0486 BTM (AJB)
)
) **SEIU, LOCAL 2028'S FIRST**
) **AMENDED NOTICE OF MOTION**
) **AND MOTION TO COMPEL**
) **ARBITRATION**
) *[Per Chambers: No Oral Argument*
) *Unless Requested By the Court]*
)
) Date: October 3, 2008
) Time: 11:00 a.m.
) Judge: Hon. Barry T. Moskowitz
) Courtroom: 15
)
)

1 PLEASE TAKE NOTICE, that on October 3, 2008 at 11:00 a.m., or as soon thereafter as
2 the matter may be heard, in courtroom 15 of the above-entitled court, before the Honorable Barry
3 T. Moskowitz, Petitioner, SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 2028,
4 will move, and hereby does move this court for an order granting its motion to compel arbitration.

5 In support of this motion Local 2028 relies upon this Notice of Motion and Motion; the
6 Memorandum of Points and Authorities filed herewith; the pleadings, records and any and all
7 relevant papers filed herein; the Declaration of Bruce A. Harland; and such other and further oral
8 and documentary evidence and legal memoranda as may be presented at or by the hearing on said
9 Motion.

10 Dated: August 8, 2008

11 WEINBERG, ROGER & ROSENFELD
12 A Professional Corporation

13 By: /s/ BRUCE A. HARLAND
14 WILLIAM A. SOKOL
15 BRUCE A. HARLAND
Attorneys for Plaintiff
SEIU, Local 2028

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PROOF OF SERVICE

I am a citizen of the United States, and a resident of the State of California. I am over the age of eighteen years, and not a party to the within action. My business address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501-1091. On August 8, 2008, I caused to be served copies of the document(s) described as:

- SEIU, LOCAL 2028'S FIRST AMENDED NOTICE OF MOTION AND MOTION TO COMPEL ARBITRATION; and
- FIRST AMENDED PROOF OF SERVICE OF [PROPOSED] ORDER GRANTING SEIU LOCAL 2028'S MOTION TO COMPEL ARBITRATION

on the following parties by electronically filing the foregoing document(s) with the Clerk of the District Court using its ECF System, which caused all registered parties to this action to be electronically served via the e-mail address(es) listed below:

<u>Party</u>	<u>E-Mail Address</u>
Gary F. Overstreet	g.overstreet@mpglaw.com

I certify under penalty of perjury that the above is true and correct. Executed at Alameda, California, on August 8, 2008.


Rhonda Fortier Bourne

118514/502216